

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY - TRENTON VICINAGE**

**JANSEN & DEBONA, LLC  
413 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
PHONE: (973) 334-0031  
FAX: (973) 334-2023  
ATTORNEY FOR THE DEFENDANT,  
TOWNSHIP OF WASHINGTON (Morris County)**

**ASSOCIATION OF NEW JERSEY RIFLE )  
AND PISTOL CLUBS, INC., a New )  
Jersey Not for Profit Corporation; )  
SCOTT L. BACH; KAARE A. JOHNSON; )  
and BOB'S LITTLE SPORT SHOP, INC., )  
a New Jersey Corporation )**

**Civil Action No. 10-271 (JAP)**

**Plaintiffs**

**CERTIFICATION OF MICHAEL BAILEY**

**v.**

**JOHN S. CORZINE, Governor of the )  
State of New Jersey; ANNE MILGRAM, )  
Attorney General of the State of )  
New Jersey; COLONEL RICK FUENTES, )  
Superintendent, Division of New Jersey )  
State Police; WASHINGTON TOWNSHIP )  
(Morris County); and XYZ )  
MUNICIPALITIES 1-565; )**

**Defendants.**

I, MICHAEL BAILEY, hereby certify as follows:

1. I am the Chief of Police of Washington Township, Morris County.

2. I am aware of the recent legislation limiting handgun purchases. It had been the subject of a discussion at a Chiefs' Association meeting that I attended. I discussed it with Maureen Guenther, my administrative assistant, following that meeting.

3. I did not meet or speak directly with Mr. Kaare A. Johnson in early January, 2010 regarding his request for multiple Permits to Purchase a Handgun, nor did I correspond directly with him.

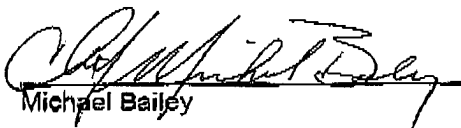
4. I did see a copy of Ms. Guenther's January 8, 2010 letter to Mr. Johnson, a copy of which is attached hereto as Exhibit A, advising that "as of January 1, 2010 the New Jersey State Police are only permitting one Application for Permit to Purchase a Handgun per month. Therefore, I am returning \$2.00 for the second permit you requested . . ." but not until after the filing of the Federal District Court lawsuit.

5. When I became aware that Washington Township had been named as a defendant in a lawsuit challenging the legislation, I directed Ms. Guenther to locate and provide to me copies of all correspondence, memoranda, or other instructions on how to process permit applications pursuant to the recent legislation that had been received from the New Jersey State Police or the Office of the Attorney General. When she was unable to locate anything in writing, I directed her to contact Lieutenant Schlueter of the State Police Firearms Unit for guidance.

6. After speaking with Lieutenant Schlueter and at my direction, Ms. Guenther then authored a second letter to Mr. Johnson, dated January 25, 2010, a copy of which is attached hereto as Exhibit B, advising that multiple permits may be applied for and issued, but only one handgun can be purchased per thirty (30) day period; apologizing for any inconvenience the misunderstanding may have caused; and informing Mr. Johnson that the department was prepared to process additional applications.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2010

  
Michael Bailey

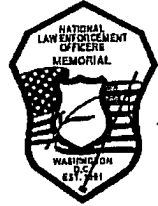
# **EXHIBIT A**



MICHAEL BAILEY  
CHIEF OF POLICE

# WASHINGTON TOWNSHIP POLICE DEPARTMENT

LONG VALLEY, MORRIS COUNTY, NEW JERSEY



908-876-3232  
FAX 908-876-5655

January 8, 2010

Kaare A. Johnson  
215 Mission Road  
Hackettstown, NJ 07840

Re: Firearms Permit to Purchase

Dear Mr. Johnson:

As of January 1, 2010 the New Jersey State Police are only permitting one Application for Permit to Purchase a Handgun per month. Therefore, I am returning \$2.00 for the second Permit you requested.

If you have any questions I can be reached at 908-876-8315. I am sorry for any inconvenience this may have caused.

Respectfully,

Maureen A. Guenther

For

Michael Bailey

Chief of Police

enclosure

## **EXHIBIT B**

JAN/25/2010/MON 11:57 AM

FAX No.

P. 001



MICHAEL BAILEY  
CHIEF OF POLICE

# WASHINGTON TOWNSHIP POLICE DEPARTMENT

LONG VALLEY, MORRIS COUNTY, NEW JERSEY



908-876-3232  
FAX 908-876-5656

January 25, 2010

Kaare A. Johnson  
215 Mission Road  
Hackettstown, NJ 07840

Re: Firearms Permit to Purchase

Dear Mr. Johnson:

In my previous letter to you dated January 8, 2010, I indicated we are only permitted to issue one "Permit to Purchase a Handgun" per month. It is my understanding the information I relayed to you was incorrectly interpreted. You may apply for as many "Permits to Purchase a Handgun", as you like. You are permitted to purchase one handgun per thirty (30) day period.

I am sorry for any misunderstanding this may have caused. If you would like to increase the number of "Permits to Purchase a Handgun" before your current application is completed, please submit the \$2.00 fee for each additional permit and we will process them for you.

If you have any questions I may be reached at 908-876-8315.

Respectfully,

Maureen A. Guenther  
for Michael Bailey  
Chief of Police

MB:mag